

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

Cassandra Johnson Landry,

Debtor

**Civil Action No.
18-55697-lrc**

**CREDITOR VALERI BURNOUGH'S RESPONSE TO DEBTOR'S
ADDENDUM TO OBJECTION TO CLAIM NUMBER 3**

Judgment Creditor, Valeri Burnough, (hereinafter "Ms. Burnough") through the undersigned counsel states as follows:

1. Counsel for Judgment Creditor learned of Ms. Burnough's death on May 26, 2021. Counsel has filed a suggestion of death on behalf of Ms. Burnough. [Dkt. 383]
2. On May 27, 2016, undersigned counsel filed a complaint on Ms. Burnough's behalf against Debtor Cassandra Johnson Landry, Alliance for Change Through Treatment, LLC ("ACT"), and Attachment & Bonding Center of Atlanta, LLC ("ABC") in the U.S. District Court for the Northern District of Georgia alleging violations of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, 26 U.S.C. § 7434, and state-law claims for breach of contract, quantum meruit, and promissory estoppel.

3. The Parties to said lawsuit reached a settlement agreement before U.S. Magistrate Judge Justin S. Anand on November 29, 2017. A true and correct copy of the Court's Minute Sheet evidencing the settlement agreement. [Dkt. 384-1] The Court directed the parties to prepare and submit a formal settlement agreement.
4. The Judgment Creditor's Counsel submitted a settlement agreement draft to Debtor's then-counsel who responded that Ms. Landry refused to sign and intended to renege on the settlement she had agreed to at the Mediation.
5. On February 19, 2018, Undersigned counsel filed a Motion to Enforce and Approve Settlement as agreed to during Mediation. [Dkt. 384-2]
6. On March 22, 2018, U.S. District Court Judge Leigh Martin May issued an order granting Ms. Burnough's Motion to Enforce and Approve the Settlement as agreed to during Mediation. [Dkt. 384-3]
7. On March 26, 2018, the District Court entered a Judgment against Cassandra Johnson Landry, Alliance for Change Through Treatment, LLC and Attachment & Bonding Center of Atlanta, LLC, ruling that they were jointly and severally liable to Ms. Burnough in the amount of \$30,000. [Dkt. 384-4]

8. Judgment Debtor Cassandra Johnson Landry (“Landry”) filed this Bankruptcy action on April 11, 2018, approximately 2 weeks after entry of the aforementioned Judgment.
9. Having been found jointly and severally liable for the Judgment, Debtor Cassandra Johnson Landry is personally liable for this debt which remains due and owed. Landry has acknowledged the existence of this Judgement for the three years of her bankruptcy proceedings.
10. Contrary to Judgment Debtor’s Objection, Ms. Burnough’s death does not extinguish Landry’s debt of \$30,000 as determined by the U.S. District Court’s Decision and Order entered on March 26, 2018.
11. Judgment Creditor further seeks interest on the original Judgment dated March 22, 2018 at federal statutory rate of 2.06%.
12. Upon Ms. Burnough’s death her interest in the Judgment passed to her estate.
13. On June 2, 2021, undersigned counsel on behalf of Creditor Valeri Burnough filed a Response [Dkt. 384] to Debtor’s Objection to Claim Number 3 [Dkt. 366].

14. Out of an abundance of caution, undersigned counsel files this response on behalf of the Estate of Creditor Valeri Burnough requesting that this Court overrule Debtor's Addendum to Objection to Claim Number 3. [Dkt. 381]

This 30th day of June 2021.

**DELONG CALDWELL
BRIDGERS FITZPATRICK &
BENJAMIN, LLC**

s/ Charles R. Bridgers

Charles R. Bridgers
Georgia Bar No. 080791
Michael A. Caldwell
Georgia Bar No. 102775

101 Marietta Street
Suite 2650
Atlanta, Georgia 30303
404-979-3150
charlesbridgers@dcbflegal.com
michaelcaldwell@dcbflegal.com

**COUNSEL FOR CREDITOR
Valeri Burnough**